

Notice of Allowability	Application No.	Applicant(s)	
	09/288,006	CLOUTIER ET AL.	
	Examiner	Art Unit	
	Ronald Abelson	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/29/2004.
2. ☒ The allowed claim(s) is/are 1-4, 6-23, and 25-32; renumbered as 1-30.
3. ☒ The drawings filed on 18 November 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|---|

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the has been changed s and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this amendment was given in a telephone interview with Mr. John Ligon on 11/24/2004.

The following has been changes have been made to the claims.

Claim 1 line 13, "complement" has been changed to "plurality".

Claim 15 line 8, "source" has been changed to "source, said known time period being less than said burst duration time".

Claim 15 at the end of the claim immediately before the "." the following clause has been inserted, "wherein said known time period is selected in relation to an input data rate of said input data packets".

Art Unit: 2666

Claim 22 line 3, "a burst duration" has been changed to "an assigned burst duration time".

Claim 22 line 7, "an assigned period for said burst duration" has been changed to "said assigned burst duration time, said known time period being less than said assigned burst duration time;"

Claim 27 line 6, "said burst duration" has been changed to "an assigned burst duration time".

Claim 27 line 8, "period" has been changed to "period, said known time period being less than said assigned burst duration time".

Claim 27 line 11, "at least one of said known time periods" has been changed to "said known time period".

Claim 27, at the end of the claim immediately before the "." the following clause has been inserted, "wherein said known time period is selected in relation to an input data rate of said input data packets".

Claim 31 line 3, "duration of said burst transmission" has been changed to "burst transmission short of an assigned burst duration time".

Art Unit: 2666

Claim 31 line 7, "source" has been changed to "source, said known time period being less than said assigned burst duration time".

Claim 31 line 11, "packet" has been changed to "packet and further wherein said known time period is selected in relation to an input data rate of said input data packets".

Claim 32 line 6, "said burst duration" has been changed to "an assigned burst duration time".

Claim 32 line 8, "period" has been changed to "period, said known time period being less than said assigned burst duration time".

Claim 32, at the end of the claim immediately before the "." the following clause has been inserted, "wherein said known time period is selected in relation to an input data rate of said input data packets".

Reasons for Allowance

2. Regarding claim 1, Mays teaches assigning a duration to a burst transmission; during the transmission duration, monitoring a source of input data packets for the presence of at least one additional data packet of the input data message within a known

Art Unit: 2666

time period; and annexing the at least one additional data packet into the burst transmission upon detection with the time period (col. 4 lines 24-33).

However, nothing in the prior art of reference teaches nor fairly suggests the burst duration is assigned to be greater than necessary to transmit an expected plurality of input data packets.

Regarding claims 15, 22, 27, 31, and 32, Mays teaches monitoring a source of input data packets for the presence of at least one additional data packet of the input data message within a known time period after a last data packet is received from the source (col. 4 lines 24-33).

Regarding claims 15, 31, and 32, Mays teaches terminating the burst transmission when no additional data packets are detected within the known time period (col. 4 lines 24-33).

Regarding claims 22 and 27, Mays teaches adding the known time period to the burst duration upon detection of the at least one additional data packet during the known time period (col. 4 lines 24-33).

However, nothing in the prior art of reference teaches nor fairly suggests the known time period is less than the burst

Art Unit: 2666

duration time and the known time period is selected in relation to an input data rate of the input data packets.

Conclusion

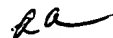
3. Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments of Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2666

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ronald Abelson
Examiner
Art Unit 2666


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

11/26/04